

REMARKS/ARGUMENTS

Claims 1-15 are currently pending after Applicant's original election of species. All remaining claims were preliminarily rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,606,165 to Barry, et al. Claims 1, 7, and 13 are in independent form. Claims 13-15 have been cancelled.

Remaining independent claims 1 and 7 were discussed in detail during the recent interview. As noted in the resultant Interview Summary:

The support for item (g) in claims 1, 7 is not clearly supported by the Barry et al reference. Applicant's representative agreed to make a request for reconsideration to get a clearer understanding how Barry et al meet this limitation.

In both claims, the limitations provide for rerouting a print job from a first printer, rendered unable to complete the print job, to an alternate printer having a lowest quantity of print jobs in its print queue. This limitation is not taught in the Barry, et al, patent. Accordingly, reconsideration is respectfully urged as to independent claims 1 and 7, as well as to claims 2-6 and 8-12 which depend therefrom.

CONCLUSION

For the reasons noted above, all claims are in condition for allowance over the art of record. No amendment to any claims has been made in light of this deficiency, which deficiency was acknowledged during the personal interview. Accordingly, removal of the pending rejection, and allowance of all claims, is respectfully requested. In the event that the Examiner believes that the applied art does teach the limitations of the originally-filed claims, it is respectfully requested that Examiner assist Applicant by directing where the limitations are believed taught in the art.

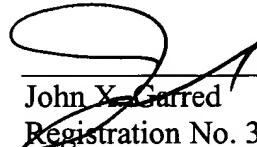
Appln. No. 09/558,353
Amdt. dated June 4, 2004
Reply to Office Action of April 9, 2004

If there are any fees necessitated by the foregoing communication, please charge such fees to our Deposit Account No. 50-0902, referencing our Docket No. (66329/97406B).

Respectfully submitted,

TUCKER ELLIS & WEST LLP

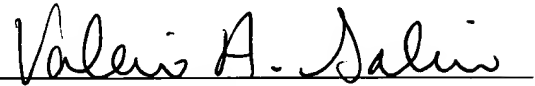
Date: Jun 4, 2004


John X. Garred
Registration No. 31,830
1150 Huntington Building
925 Euclid Avenue
Cleveland, Ohio 44115-1475
Customer No. 23380
(216) 696-3340 (phone)
(216) 592-5009 (fax)

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Date: June 4, 2004


Name: Valerie A. Salvino